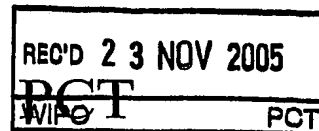


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY



<b>To:</b> 100011 22/F, Great Eagle Centre, 23 Harbour Road Wanchai, HONG KONG Special Administrative Region, The People's Republic of China CHINA PATENT AGENT(H.K.) LTD
--

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43 *bis*.1)

Date of mailing (day/month/year) 17 NOV 2005 (17 · 11 · 2005)
---

Applicant's or agent's file reference FPPEL 05150004		<b>FOR FURTHER ACTION</b> see paragraph 2 below	
International application No. PCT/CN2005/000258	International filing date (day/month/year) 03. Mar 2005 (03.03.2005)	Priority date (day/month/year)	
International Patent Classification (IPC) or both national classification and IPC IPC <sup>7</sup> G06F9/45			
Applicant INTEL CORPORATION et al			

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA/CN The State Intellectual Property Office, the P.R.China 6 Xitucheng Rd., Jimen Bridge, Haidian District, Beijing, China 100088 Facsimile No. 86-10-62019451	Date of completion of this opinion 01.Nov 2005 (01.11.2005)	Authorized officer A604 Ma Chi Telephone No. 86-10-62084981
--	--	---



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/CN2005/000258

**Box No. I Basis of the opinion**

1. With regard to the language, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :
  - a. type of material
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing
    - ☐ contained in the international application as filed
    - ☐ filed together with the international application in electronic form
    - ☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/CN2005/000258

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)	Claims 1-20	YES
	Claims None	NO
Inventive step (IS)	Claims 1-20	YES
	Claims None	NO
Industrial applicability (IA)	Claims 1-20	YES
	Claims None	NO

2. Citations and explanations

(1) The documents cited in the search report have been taken into consideration here:

D1: US, A, 5848275

D2: US, A1, 2003046667

D3: JP, A, 3196340

(2) The present invention relates to a method of obtaining performance data for instructions that execute in a data processing system.

(3) D1 has disclosed a computer system for automatically splitting common blocks of memory during compilation to optimise performance of computer program.

D2 has disclosed a method of transmitting a request to a performance analyzer tool to record trace data in response to encountering an embedded trace data hook in a module if the module includes trace data hooks and when the trace data flag is ON.

D3 has disclosed a method for evaluating the hardware performance by a single instruction by analyzing and evaluating the performance data by comparing it with the past data base accumulated in advance, converting the evaluated data into a code which can be recognized by a man and storing it in a result file.

(4) All of above documents D1 – D3 do not disclose the features as follow:

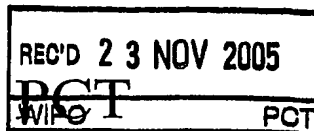
obtaining dump information from the instruction and corresponding instruction addresses, automatically identifying common code segments in the dump information which comprises an ordered set of multiple instructions that appears multiple times in the dump information, and generating aggregate performance data for the common code segments.

Therefore the independent claims 1, 9 and 17 are qualified for the standards under PCT 33(2)-(3). And the dependent claims 2-8, 10-16 and 18-20 are also qualified for the standards under PCT 33(2)-(3).

And claims 1-20 have industrial applicability under PCT Article 33(4).

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY



To: 100011 22/F, Great Eagle Centre, 23 Harbour Road Wanchai, HONG KONG Special Administrative Region, The People's Republic of China CHINA PATENT AGENT(H.K.) LTD
---

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43 *bis*.1)

Date of mailing  
(day/month/year) 17 NOV 2005 (17 · 11 · 2005)

Applicant's or agent's file reference FPPEL 05150004		<b>FOR FURTHER ACTION</b> see paragraph 2 below	
International application No. PCT/CN2005/000258	International filing date (day/month/year) 03. Mar 2005 (03.03.2005)	Priority date (day/month/year)	
International Patent Classification (IPC) or both national classification and IPC IPC <sup>7</sup> G06F9/45			
Applicant INTEL CORPORATION et al			

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA/CN The State Intellectual Property Office, the P.R.China 6 Xitucheng Rd., Jimen Bridge, Haidian District, Beijing, China 100088 Facsimile No. 86-10-62019451	Date of completion of this opinion 01.Nov 2005 (01.11.2005)	Authorized officer A604 Ma Chi Telephone No. 86-10-62084981
--	--	---



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/CN2005/000258

**Box No. I Basis of the opinion**

1. With regard to the language, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing
    - ☐ contained in the international application as filed
    - ☐ filed together with the international application in electronic form
    - ☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/CN2005/000258

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement:**

Novelty (N)	Claims	1-20	YES
	Claims	None	NO
Inventive step (IS)	Claims	1-20	YES
	Claims	None	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims	None	NO

**2. Citations and explanations**

(1)The documents cited in the search report have been taken into consideration here:

D1:US,A,5848275

D2:US,A1,2003046667

D3:JP,A,3196340

(2)The present invention relates to a method of obtaining performance data for instructions that execute in a data processing system.

(3)D1 has disclosed a computer system for automatically splitting common blocks of memory during compilation to optimise performance of computer program.

D2 has disclosed a method of transmitting a request to a performance analyzer tool to record trace data in response to encountering an embedded trace data hook in a module if the module includes trace data hooks and when the trace data flag is ON.

D3 has disclosed a method for evaluating the hardware performance by a single instruction by analyzing and evaluating the performance data by comparing it with the past data base accumulated in advance, converting the evaluated data into a code which can be recognized by a man and storing it in a result file.

(4)All of above documents D1 – D3 do not disclose the features as follow:

obtaining dump information from the instruction and corresponding instruction addresses, automatically identifying common code segments in the dump information which comprises an ordered set of multiple instructions that appears multiple times in the dump information, and generating aggregate performance data for the common code segments.

Therefore the independent claims 1, 9 and 17 are qualified for the standards under PCT 33(2)-(3). And the dependent claims 2-8, 10-16 and 18-20 are also qualified for the standards under PCT 33(2)-(3).

And claims1-20 have industrial applicability under PCT Article 33(4).